

PROCEEDINGS OF THE COMMON COUNCIL

IN Regular SESSION

Tuesday, September 11, 1973

CITY OF FORT WAYNE, INDIANA

Journal of the Proceedings  
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chambers

Tuesday evening September 11 A.D., 19 73 in Regular  
Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman

Clerk, at the desk, present the following members viz:

Burns ✓, Hinga ✓, Kraus ✓, Nuckols ✓  
Moses ✓, Donald Schmidt ✓, Vivian Schmidt ✓, Stier ✓  
Talarico ✓ Absent                     , Councilman                     

The invocation was given by Donald Cashen - Associate Pastor - First Presbyterian Church

Received report from the City Controller for the month of                      19       .

Motion made and carried that report be made a matter of record and placed on file,

Special Session August 27, 1973

The minutes of the last regular Regular Session August 28, 1973, 19        Session

having been delivered to the Council, were, on motion, approved as published.



## THE CITY OF FORT WAYNE

office of the mayor

August 29, 1973

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, August 29, 1973, I have approved the following ordinances passed by the Common Council at its regular meeting on August 28, 1973.

(Bill No. S-73-08-01)  
SPECIAL ORDINANCE NO. S-86-73

AN ORDINANCE approving a contract with International Harvester and Ernst Truck Equipment Co. for 2 Trucks and 2 Dump Bodies.

(Bill No. S-73-08-02)  
SPECIAL ORDINANCE NO. S-87-73

AN ORDINANCE approving an agreement with AMERICAN THREAD COMPANY for fire protection on American Way.

(Bill No. S-73-08-03)  
SPECIAL ORDINANCE NO. S-88-73

AN ORDINANCE approving a certain bid document with ERNST TRUCK EQUIPMENT COMPANY for the purchase of three salt spreaders for the Street Department.

(Bill No. S-73-08-29)  
SPECIAL ORDINANCE NO. S-89-73

AN ORDINANCE approving Change Order No. 1 with Maumee Construction Corp. in connection with Vance Avenue Sidewalk installation Ordinance No. S-52-72.

(Bill No. S-73-08-32)  
SPECIAL ORDINANCE NO. S-92-73

AN ORDINANCE approving Contracts with various Contractors, for the construction of the St. Joseph Interceptor Sewers.

(Bill No. S-73-08-33)  
SPECIAL ORDINANCE NO. S-93-73

AN ORDINANCE approving a contract with WAYNE ASPHALT AND CONSTRUCTION COMPANY for resurfacing twenty (20) streets.

MADE A MATTER OF RECORD  
DATE 9/11/73 CHARLES W. WESTERMAN, CITY CLERK

(Bill No. S-73-08-34)  
SPECIAL ORDINANCE NO. S-94-73

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for the paving of  
Clermont Avenue from Hessen Cassel Road to Wayne Trace.

(Bill No. R-73-08-37)  
RESOLUTION NO. R-60-73

A RESOLUTION authorizing payment for repairs to Police vehicle damaged in an  
accident.

(Bill No. G-73-08-25)  
GENERAL ORDINANCE NO. G-20-73

AN ORDINANCE amending the General Ordinance G-97 by authorizing the vacation  
of an alley and two streets.

(Bill No. G-73-08-26)  
GENERAL ORDINANCE NO. G-21-73

AN ORDINANCE amending the General Ordinance G-97 by authorizing the vacation of  
an alley and two streets.

(Bill No. G-73-08-27)  
GENERAL ORDINANCE NO. G-22-73

AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an  
alley north of Creighton Avenue.

(Bill No. G-73-08-28)  
(Amended)  
GENERAL ORDINANCE NO. G-23-73

AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code  
of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726,  
adopted December 22, 1953.

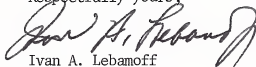
(Bill No. S-73-08-30)  
SPECIAL ORDINANCE NO. S-90-73

AN ORDINANCE approving a contract with JUSTUS CONTRACTING COMPANY for construc-  
tion of a water main on Old Decatur Road.

(Bill No. S-73-08-31)  
SPECIAL ORDINANCE NO. S-91-73

AN ORDINANCE approving Agreement with KEN NIEMEYER, INC. for construction of the  
LAKE FOREST ADDITION EXTENDED sewer.

Respectfully yours,



Ivan A. Lebamoff

Mayor



## THE CITY OF FORT WAYNE

office of the mayor

August 28, 1973

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, August 28, 1973, I have approved the following ordinances passed by the Common Council at its special meeting on August 27, 1973.

(Bill No. G-73-08-04)  
(Amended)  
GENERAL ORDINANCE NO. G-19-73

AN ORDINANCE approving itemized estimates of Capital Program Expenditures for the year 1974.


(Bill No. A-73-07-12)  
(Amended)  
APPROPRIATION ORDINANCE NO. A-16-73

AN ORDINANCE appropriating money for the purposes of defraying the expenses of the several departments of the City Government of the City of Fort Wayne, Indiana, for the fiscal year beginning January 1, 1974, and ending December 31, 1974, including all outstanding claims and obligations and fixing a time when the same shall take effect.

(Bill No. S-73-07-13)  
(Amended)  
SPECIAL ORDINANCE NO. S-85-73

AN ORDINANCE fixing the tax levy for the City of Fort Wayne for the year 1974.

Respectfully yours,

  
Ivan A. Lebanoff  
Mayor

MADE A MATTER OF RECORD  
DATE 9/11/73 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

office of city plan commission

August 28, 1973

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

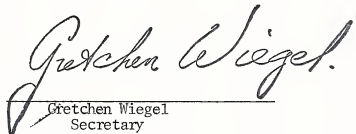
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-05-06

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
28th day of August, 1973.

  
Gretchen Wiegell  
Secretary

MADE A MATTER OF RECORD  
DATE 9/11/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, Indiana

August 28, 1973

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 23, 1973. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-73-05-06

- a. Intended Use: Used Car Lot
- b. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

- 1) This petitioned change would be a logical extension of existing zoning.
- 2) The location of this property, in relation to Gateway Plaza and Goshen Road, does not make property conducive to residential development.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Richard S. Wamush (PR)*  
Richard S. Wamush  
Senior Planner

RSW:pr  
ATT.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 8, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-05-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

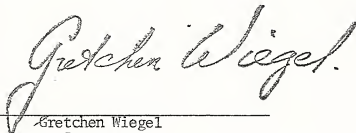
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this  
28th day of August, 1973

  
\_\_\_\_\_  
Gretchen Wiegel  
Secretary







## THE CITY OF FORT WAYNE

office of city plan commission

August 31, 1973

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

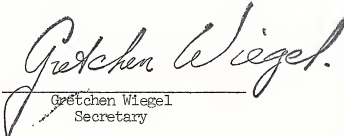
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-06-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
31st Day of August, 1973

  
\_\_\_\_\_  
Gretchen Wiegand  
Secretary

MADE A MATTER OF RECORD  
DATE 9/11/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, Indiana

August 31, 1973

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 27, 1973. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-73-06-10

- a. Intended Use: Industrial uses permitted in an "M1" zoning
- b. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

- 1) This is a logical extension of an industrial district.
- 2) The adjacent area is presently of an industrial nature, and this change would therefore provide for utilization of this property's highest and best use.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Richard Wanush (PR)*  
Richard S. Wanush  
Senior Planner

RSW:pr  
ATT.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 12, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-02-29; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

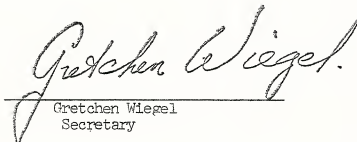
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1973.

Certified and signed this  
31st day of August, 1973.

  
\_\_\_\_\_  
Gretchen Wiegel  
Secretary

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Bill No. Z-73-06-10

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BOOK PAGE DD-13



## THE CITY OF FORT WAYNE

office of city plan commission

September 4, 1973

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs Schmidt:

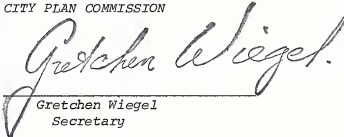
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-06-25

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
4th day of September, 1973.

  
Gretchen Wiegel  
Secretary

MADE A MATTER OF RECORD  
DATE 9/11/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, Indiana

September 4, 1973

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 27, 1973. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-73-06-25

- a. Intended Use: Steak House
- b. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- 1) The need for additional commercial zoning in this area is not justified.
- 2) Between Coliseum Blvd. and Laverne Avenue, there are three (3) approved sites for shopping centers, two of these are not totally developed.
- 3) At the present time there is also a great deal of residential development on the north side of State Street from this petitioned change.

September 4, 1973

- 4) At the present time no commercial uses exist between Laverne Avenue and Hobson Road on the south side of State Street with the exception of a service station on the southeast corner of Hobson Road and State Street.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Richard S. Wanush (PR)  
Richard S. Wanush  
Senior Planner

RSW:pr

ATT:

CC: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 26, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-06-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

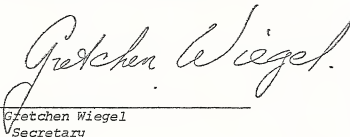
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflict with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1973.

Certified and signed this  
4th day of September, 1973.

  
\_\_\_\_\_  
Gretchen Wiegel  
Secretary



C CHANGE FROM RI TO BIB

BRII No. Z-73-06-25



## THE CITY OF FORT WAYNE

office of city plan commission

September 5, 1973

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-05-21

Respectfully submitted,

CITY PLAN COMMISSION

Gretchen Wiegel  
Secretary

Certified and signed this  
5th day of September, 1973.

MADE A MATTER OF RECORD  
DATE 9/11/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, Indiana

September 5, 1973

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held August 27, 1973

Bill No. Z-73-05-21 is being returned for your consideration with a DO NOT PASS recommendation. The City Plan Commission, at its regular meeting of July 23, 1973, voted to give this petition a "DO PASS" recommendation subject to the following condition:

"Submission of a recordable covenant whereby the owner or owners of the lot proposed for change will agree to dedication of the necessary right-of-way for implementation of the Transportation Plan".

Subsequent to this motion, a letter was received from the petitioner asking for the Commission's reconsideration. The request was denied by the Commission, therefore we are forwarding this petition to City Council with a "DO NOT PASS" recommendation.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Richard S. Wanush*  
Richard S. Wanush  
Senior Planner

RSW:pr  
ATT.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 22, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-05-21; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission, at its regular meeting held July 23, 1973, did give this proposed ordinance a DO PASS recommendation, subject to the satisfaction of the following condition:

"Submission of a recordable covenant whereby the owner or owners of the lot proposed for change will agree to dedication of the necessary right-of-way for implementation of the Transportation Plan."

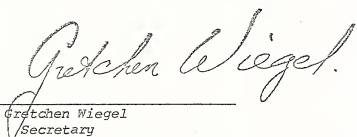
NOW BE IT FURTHER RESOLVED, that subsequent to this motion for a DO PASS recommendation, a letter was submitted by the petitioners requesting the Commission reconsider this requested condition.

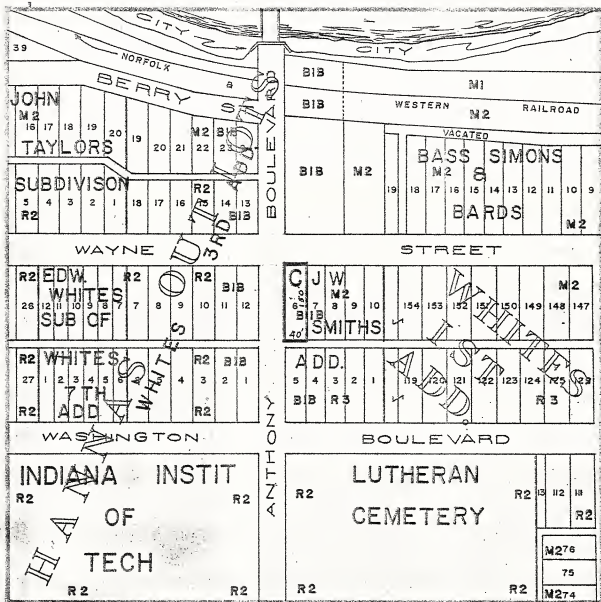
BE IT FURTHER RESOLVED that the request was denied by the Commission, therefore we are forward this proposed ordinance to the Common Council with a DO NOT PASS recommendation.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1973.

Certified and signed this  
5th day of September, 1973.

  
\_\_\_\_\_  
Gretchen Wiegel  
Secretary



C CHANGE FROM BIB TO B3B

1-73-05-21



## THE CITY OF FORT WAYNE

office of city plan commission

September 5, 1973

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto are the recommendations of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-08-41

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
5th day of September, 1973.

  
Gretchen Wiegel  
Secretary

MADE A MATTER OF RECORD  
DATE 9/11/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, Indiana

September 5, 1973

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1)  
zoning ordinance amendment.

In addition to the reasons outlined in the resolution, the following  
are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-73-08-41

This ordinance was requested to be withdrawn by Written  
Request of the petitioner, as attached to the ordinance.

If there are any questions with regard to this ordinance, please feel  
free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Richard Wanush (PR)*  
Richard S. Wanush  
Senior Planner

RSW:pr  
Att.

cc: Mayor Ivan A. Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 28, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-08-41; and

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,


WHEREAS, a letter requesting withdrawal of the proposed ordinance has been filed with the City Plan Commission, by the petitioner, upon finding the legal description to be in error; and,

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the petitioner;

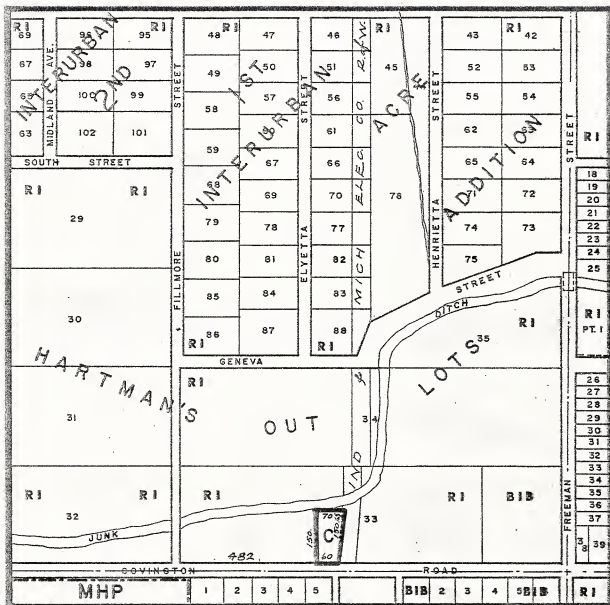
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1973.

Certified and signed this  
5th day of September, 1973

  
\_\_\_\_\_  
Gretchen Wiegel  
Secretary





C CHANGE FROM RI TO MI

August 30, 1973

City Plan Commission  
City-County Building  
Room 800  
1 Main Street  
Fort Wayne, Indiana 46802

In Re: Petition filed by Montgomery Mills

Re: Part of Hartman's Out Lot 33

Gentlemen:

Be advised that I have heretofore filed a Petition to re-classify certain real estate from an R-1 District to an M-1 District and have discovered that the description is erroneous and not contiguous and I therefore ask that the Petition be withdrawn so that I may submit a new petition with a corrected description of the area which I am seeking to have re-zoned.

Yours very truly,

*Montgomery Mills*  
Montgomery Mills  
Petitioner



## THE CITY OF FORT WAYNE

office of city plan commission

September 5, 1973

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

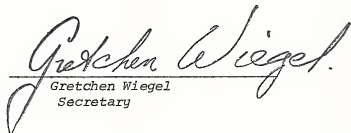
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-02-09

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
5th day of September, 1973.

  
Gretchen Wiegel  
Secretary

MADE A MATTER OF RECORD  
DATE 9/6/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, Indiana

September 5, 1973

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held March 26, 1973. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-73-02-09

a. Intended Use: Restaurant

b. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

- 1.) This petition would be a logical extension of existing "EBB" zoning which is now located to the east of this area.
- 2.) The intended use would not be detrimental to the existing neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Richard S. Wanush* (PR)  
Richard S. Wanush  
Senior Planner

RSW:pr  
Att.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 13, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-02-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,


WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 19, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

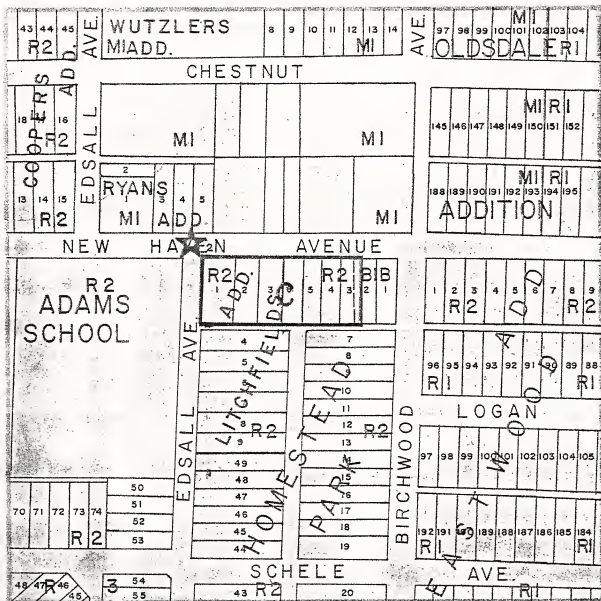
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 26, 1973.

Certified and signed this  
5th day of September, 1973.

  
\_\_\_\_\_  
Gretchen Wiegel  
Secretary

Z-73-02-09



C CHANGE FROM R2 TO BIB

W. 26 ft., Lot # 3, Lot # 4, 5 and 6 Homestead Park Addition and Lot # 1, 2 and 3 Litchfields Addition.



THE CITY OF FORT WAYNE

department of public safety

September 7, 1973

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Number 44-73/E.

For the purpose of enforcement, please make this communi-  
cation and the attached Regulatory resolutions a matter  
of record and incorporate them into the minutes of the next  
Common Council Meeting.

Respectfully submitted,

*Thomas J. Casaburo* *JS*

Thomas J. Casaburo

MADE A MATTER OF RECORD  
DATE 9/11/73 CHARLES W. WESTERMAN, CITY CLERK

**DOROTHY E. RAVER**  
**AUDITOR ALLEN COUNTY**

CITY-COUNTY BUILDING, ONE MAIN STREET  
FORT WAYNE, INDIANA 46802

TELEPHONE: 423-7241

ALBERT G. NELSON  
CHIEF DEPUTY

BETTY J. WERLING  
FINANCIAL DEPUTY

September 7, 1973

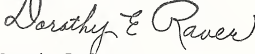
TO: The Clerk of the Common Council of the City of Fort Wayne

Enclosed is a certified copy of a Resolution adopted by the Allen County Council establishing the Fort Wayne - Allen County Airport Authority.

Pursuant to IC 1971, 19-6-3.5, the Common Council of the City of Fort Wayne should consider the enclosed Resolution and either adopt it or reject it.

Very truly yours,

ALLEN COUNTY AUDITORS OFFICE



Dorothy E. Raver  
Allen County Auditor

DER:srb

MADE A MATTER OF RECORD  
DATE 9/11/73 CHARLES W. WESTERMAN, CITY CLERK



RETURN CERTIFICATE

(Regulatory Resolution No. 44-73 / E)

I hereby certify that I did this 7th day of September, 19 73 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 44-73 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO. 44-73/E

(Adopted September 7, 19 73)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Renew & Extend Regulatory Resolution 32-73/E

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\_\_\_\_\_ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated August 28, 19 73, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective September 7,

19 73, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. ONE WAY STREET

1. Weisser Park Ave. - northbound - from Pontiac St. to Creighton Ave.
2. John St. - southbound - from Creighton Ave. to Pontiac St.
3. Gay St. - northbound - from Pontiac St. to Creighton Ave.
4. Smith St. - southbound - from Creighton Ave. to Pontiac St.

B. NO PARKING

1. Carew St. - east side - from the south terminus (cul-de-sac) to 390 feet north thereof.

C. TRAFFIC SIGNAL

1. St. Joe Road at Indiana-Purdue University Regional Campus Entrance
2. Wallace Street at Hanna Street



COMMON COUNCIL  
CITY OF FORT WAYNE  
ONE EAST MAIN ST.  
FORT WAYNE, INDIANA 46802

WINFIELD C. MOSES, JR.  
PRESIDENT OF THE CITY COUNCIL &  
COUNCILMAN - FIFTH DISTRICT

COMMUNICATION FROM COUNCIL PRESIDENT:

President of Common Council hereby appoints a Transportation Committee  
per the approval by Common Council.

The members will be Chairman, Vivian G. Schmidt, Vice Chairman, James  
Stier, members, Sam Talarico, and John Nuckols, *Eugene Kraus*.

*Winfield C. Moses Jr.*

MADE A MATTER OF RECORD

DATE 8/11/73 CHARLES W. WESTERMAN, CITY CLERK

CERTIFICATE OF COUNTY AUDITOR

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF ALLEN )

I, DOROTHY E. RAVER, the duly elected, qualified and acting Auditor of Allen County, Indiana, hereby certify that the following resolutions, upon motion duly made and seconded were unanimously adopted by the Allen County Council on the 4th day of September, 1973.

WHEREAS, IC 1971, 19-6-3.5, as added by Acts 1971, P.L. 304, §1, provides for the establishment of an Airport Authority District by the adoption of a Resolution by the County Council and the council of any city, and

WHEREAS, it has been brought to the attention of the County Council that a majority of the persons who use the existing airport facilities now operated by the City of Fort Wayne, reside outside of the City of Fort Wayne, and,

WHEREAS, continued growth of the community requires the expansion of the airport facilities serving the Fort Wayne-Allen County community, NOW THEREFORE,

BE IT RESOLVED, that the Allen County Council hereby establishes an Airport Authority District under the provisions of and in accordance with the provisions of "IC 1971, 19-6-3.5", for the purpose of acquiring, improving, operating, maintaining and financing an airport or landing fields, coterminous with the jurisdictional boundary of Allen County. Said Airport Authority District shall be known as the Fort Wayne-Allen County Airport Authority.

BE IT FURTHER RESOLVED, that the Auditor be and is hereby authorized and directed to communicate the above Resolution to the common council of the City of Fort Wayne for consideration pursuant to IC 1971, 19-6-3.5.

AUDITOR OF ALLEN COUNTY, INDIANA

*Dorothy E. Raver*

Dorothy E. Raver, Auditor

Dated:

September 6, 1973.



The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 11th day of Sept., 19 73; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 11th day of September, 19 73.

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Charles W. Westerman  
City Clerk

SEAL